

MAR 08 2005

PATENT  
Docket No. 312.0001 0101IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Lebovic et al. ) Group Art Unit: 3736  
Serial No.: 10/658,518 ) Examiner: Veniaminov  
Confirmation No.: 1942 )  
Filed: 9 September 2003 )  
For: BRACHYTHERAPY APPARATUS AND METHODS OF USING SAME

FACSIMILE TRANSMISSION TO THE PTO

Commissioner for Patents  
Attn: Examiner Veniaminov  
P.O. Box 1450  
Alexandria, VA 22313-1450

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X Small Entity Status is entitled to be asserted in the above-identified application.

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Mueeting, Raasch & Gebhardt, P.A.  
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8 March 2005  
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By: Matthew W. Adams  
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CERTIFICATE UNDER 37 C.F.R. §1.8: The undersigned hereby certifies that this Facsimile Cover Sheet and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office addressed to the Commissioner for Patents, Attn: Examiner Veniaminov, P.O. Box 1450, Alexandria, VA 22313-1450, on this 8th day of March, 2005, at 9:21 am (Central Time).

8 March 2005  
Date

Signature: Jacquelyn K. Torborg  
Name: JACQUELYN K. TORBORG

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Docket No. 312.00010101

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Lebovic et al. ) Group Art Unit: 3736  
Serial No.: 10/658,518 ) Examiner: Veniaminov, Nikita R.  
Filed: 9 September 2003 ) Confirmation No.: 1942  
For: BRACHYTHERAPY APPARATUS AND METHODS OF USING SAME

**ELECTION UNDER 37 C.F.R. §3.71, REVOCATION,  
POWER OF ATTORNEY, AND CERTIFICATE UNDER §3.73(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Assignee, CuRay Medical, Inc., of the entire interest in the above-identified application hereby elects, under 37 C.F.R. §3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints those registered patent attorneys and registered patent agents associated with Customer Number 26813 as its attorney or agent (with full powers of appointment, substitution, and revocation) to prosecute the application, and any division, continuation, continuation-in-part, reexamination, or reissue thereof, to make alterations and amendments therein, and to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent.

Election Under 37 C.F.R. §§3.71, Revocation, Power of Attorney and Certificate under §3.73(b) Page 2 of 2

Serial No.: 10/658,518

Confirmation No.: 1942

Filed: 9 September 2003

Title: BRACHYTHERAPY APPARATUS AND METHODS OF USING SAME

Please send correspondence to the following address:

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Mueing, Raasch & Gebhardt, P.A.

P.O. Box 581415

Minneapolis, MN 55458-1415

Customer Number 26,813

Statement under 37 C.F.R. §3.73(b)

CuRay Medical, Inc. states that it is the assignee of the entire right, title and interest in the above-identified patent application by virtue of an assignment from the inventors of the above-identified patent application to CuRay Medical, Inc. The assignment is recorded with the U.S. Patent and Trademark Office at Reel/Frame 015591/0030.

The undersigned (whose title is supplied below) is empowered to sign this document on behalf of the Assignee.

ASSIGNEE:

CURAY MEDICAL, INC.

2/04/05  
Date

George D. Hermann  
Signature

GEORGE D. HERMANN  
Typed or Printed Name

PRESIDENT  
Title